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Date: April 13, 2004 Signature: J. Kelly Attorney

To: Examiner: C. Collins Telephone Number: 571/272-0794

Group Art Unit: 1638

Facsimile No.: 703/872-9306

From: James J. Kelly, Ph.D. Registration No.: 41,504

Telephone Number: 703/412-7058

Date: April 13, 2004

RE: U.S. Application Serial Number: 09/477,730

Filed: January 5, 2000

Attorney Docket Number: 4859-0029-0

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 10

COMMENTS

In the event that any fees are due, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge the required fees to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time.

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James J. Kelly, Ph.D.

OSMM&N File No. 4859-0029-0Serial No. 09/477,730In the matter of the Application of: Koichi SUGITA, et al.For: NOVEL VECTOR FOR INTRODUCING A GENE INTO A PLANT USING A SELECTABLE MARKERDept.: CHEMICALBy: NFO/JK/lcdDue Date: N/A

- ☒ Dep. Acct. Order Form
- ☒ Amendment Cover Letter
- ☒ Amendment and Request for Reconsideration

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Docket No. 4859-0029-0

IN RE APPLICATION OF: Koichi SUGITA, et al.

SERIAL NO: 09/477,730

FILED: January 5, 2000

FOR: NOVEL VECTOR FOR INTRODUCING A GENE INTO A PLANT USING A SELECTABLE MARKER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☐ Additional documents filed herewith:

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS	
TOTAL	4	MINUS	26	0	x \$18 =	\$0.00	
INDEPENDENT	1	MINUS	3	0	x \$86 =	\$0.00	
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$290 =	\$0.00	
		TOTAL OF ABOVE CALCULATIONS					\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity					\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00	
		TOTAL					\$0.00

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OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

 James J. Kelly
 Registration No. 41,504
Customer Number
22850Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Docket No. 4859-0029-0

IN RE APPLICATION OF: Koichi SUGITA, et al.

SERIAL NO: 09/477,730

FILED: January 5, 2000

FOR: NOVEL VECTOR FOR INTRODUCING A GENE INTO A PLANT USING A SELECTABLE MARKER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

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OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. OblonJames J. Kelly
Registration No. 41,504

Customer Number

22850Tel. (703) 413-3000
Fax. (703) 413-2220
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DOCKET NO: 4859-0029-0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

KOICHI SUGITA, ET AL. :

EXAMINER: C. COLLINS

SERIAL NO: 09/477,730 :

FILED: JANUARY 5, 2000

: GROUP ART UNIT: 1638

FOR: NOVEL VECTOR FOR INTRODUCING A GENE INTO A PLANT USING A
SELECTABLE MARKER

AMENDMENT AND REQUEST FOR RECONSIDERATION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated December 24, 2003, and supplemental to the response filed on March 23, 2004, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

A discussion of the **Support for the Amendments** begins at page 4 of this paper.

Remarks/Arguments begin on page 5 of this paper.